

5/045/029



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Salt Lake Field Office
2370 South 2300 West
Salt Lake City, UT 84119



In Reply Refer To:

3809

U-69227

(U-023)

MAY 24 2005

RECEIVED

MAY 25 2005

DIV. OF OIL, GAS & MINING

Certified Mail 7003 1010 0005 1875 8233

Return Receipt Requested

Mr. Sid Hullinger
McFarland & Hullinger
8960 North Highway 40
Lake Point, UT 84074

Dear Mr. Hullinger:

In an effort to close out inactive case files, our office has been conducting inspections of mining claims throughout the Salt Lake Field Office. On January 20, 2005, your Notice to conduct quarrying activities on your MH-1 lode mining claim, located in T. 9 S., R. 4 W., Section 35, expired. On February 14, 2005, you received a certified letter from this office notifying you that operations on the subject mining claim may continue if you file a Plan of Operations with this office within 30 days of receipt of that letter. To date, we have not received a Plan of Operations to continue operations at the site.

Please be aware that, as the claimant, you are the responsible party for reclamation of all surface disturbance on your claim, even if you have failed to extend your Notice under Bureau of Land Management's (BLM) Surface Management Regulations at 43 CFR 3809.335. In your submitted Notice, dated August 8, 1989, you signed a statement that you would reclaim the disturbed areas at the conclusion of operations.

We are hereby requesting immediate reclamation of the subject quarry site. Reclamation would include, but not be limited to the following:

1. The immediate removal of the diesel fuel storage tank;
2. Final benching of the quarry highwall, to prevent potential harm to the public;
3. Knocking down and spreading out the existing quarry stockpiles against the foot of the highwall to a minimum 3H:1V slope;
4. Pulling the walls that exist on the north and south edges of the quarry into the center of the pit and spreading this material evenly over the floor;
5. Spreading any stockpiled topsoil over the reclaimed floor of the pit. If no topsoil was saved during the course of mining and quarrying activities, you must import topsoil into the site as part of final reclamation;
6. Rip and scarify the entire length of the access road that extends from the quarry to a point parallel with the main access gate located along Utah State Highway 36. Any material side cast along the length of this access road must be pulled back into the reclaimed road bed as part of final reclamation;

7. Spread any stockpiled topsoil along the length of the reclaimed access road. If no topsoil was saved during the course of mining and quarrying activities, you must import topsoil to be used for road reclamation as part of final reclamation;
8. Revegetate all of the reclaimed areas with a mixture of live native seed. A list of appropriate seed to be used will be supplied by this office at the appropriate time. For best results, the seed should be broadcast, and then raked into the topsoil so that there is good seed-to-soil contact. The best time to apply the seed mixture for successful germination is between October 15 and November 30, this year.

Please contact this office within 15 days of receipt of this letter to set up a schedule for reclamation of the surface disturbance associated with your expired Notice, or we will consider you to be in noncompliance with BLM's Surface Management regulations at 43 CFR 3809.

We look forward to resolving this issue as soon as possible. If you have any questions, or require additional information, please feel free to contact Michael Ford of my staff at (801) 977-4360.

Sincerely,



Acting David H. Murphy
Assistant Field Manager,
Non-Renewable Resources

cc: Daron Haddock
Utah Division of Oil, Gas and Mining